



COMMONWEALTH of VIRGINIA

Virginia Wireless E-911 Services Board

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February 9, 2006

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Dear Wireless E-911 Stakeholder,

As you may know, for the last year and a half the Wireless E-911 Services Board has been developing legislation to respond to the changing world of E-911. Many people participated in that process and I would like to sincerely thank those who did. The resulting legislation, which the Board finalized and approved on December 5, 2005, was introduced in this General Assembly session by Senator Stolle as Senate Bill 395. The bill as introduced, makes the following changes to the Board's existing legislation:

1. Modifies the wireless funding process to automatically provide 60% of the Wireless E-911 fund to PSAP, which results in 40% more funding to each PSAP. PSAPs will not longer have to request this funding nor will they need to submit true-up documentation. The funding must be expended in the PSAP, but there are no other restrictions on the funding. The remaining 40% of the wireless E-911 fund would be for needs-based wireless E-911 grants to PSAPs and wireless carriers. The legislation requires the Board to establish the criteria for the award of these grants.
2. Expands the responsibilities of the Board to permit the Board to promote VoIP E-911 and E-911 for future telecommunications technologies. The Board would be required to develop a comprehensive plan for E-911 for the future to ensure the entire Commonwealth is able to respond to the challenges of VoIP and whatever is next. This in no way impacts VoIP funding or any future E-911 funding opportunities.
3. Allows the Board to publish PSAP best practices. These best practices would be taken from E-911 professional organizations and developed by a committee of PSAP representatives.
4. Adds a PSAP member to the Board.

After Senate Bill 395 was introduced, several wireless carriers began expressing concern about the loss of guaranteed cost recovery, which is replaced by the grant program. After meeting with several carriers to address their concerns, we were able to agree on three changes that would allow the carriers to support the legislation. Simply stated, the changes would:

Wireless E-911 Stakeholder
February 9, 2006
Page Two

- 1) change the funding distribution from 60% to PSAP funding and 40% for PSAP and carriers grants to 60% to PSAP funding, 30% for carrier cost recovery (as it is provided today) and 10% for grants. Any unexpended funding from the 30% at the end of the year would be transferred to the grant funding. The recommendation of the Board that any unexpended grant funding would be distributed to the PSAPs remains.
- 2) add an explicit statement that the Board cannot use wireless E-911 funding to provide VoIP assistance to PSAPs.
- 3) leave the existing language regarding the industry representation on the Board so that it remains as one LEC and two wireless instead of the proposed three telecommunications industry.

Since I believe all three of these changes still support the goals of the Board, I agreed to allow the bill to move forward. As a result, a substitute bill (SB395S1, attached) was accepted and was passed by the Senate Commerce and Labor Committee on Monday. However, we have discovered a small error. The posted version shows the LEC Board member being eliminated. This was a clerical error and will be corrected.

Though the bill did pass the committee on Monday, I learned at the committee meeting that there appears to still be significant concern from some in the PSAP community. Representatives from APCO were present at the committee meeting to object to the bill. Though I will be meeting this Friday with APCO representatives to attempt to address their concerns, I would like to determine if there is any additional opposition to the Board's legislation as it now stands. I would also appreciate hearing from those that expressed their support at our E-911 Board meeting for the legislation like we have from NENA.

Please do not hesitate to contact me or Steve if you have any questions, support or concerns.

Sincerely,



Lemuel C. Stewart, Jr.